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REED ELSEVIER, INC.

FILED
SEP - 9 2005
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHARTSIS FRIESE LLP
ONE MARITIME PLAZA
EIGHTEENTH FLOOR
SAN FRANCISCO, CALIFORNIA 94111-3598

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

INHERENT.COM aka INHERENT, INC.

Plaintiff,

v.

MARTINDALE-HUBBELL, LEXIS/NEXIS INC. and DOES 1 through 200 inclusive,

Defendants.

No. C 05 3515 MHP

~~[PROPOSED]~~
ORDER GRANTING DEFENDANTS' REQUEST FOR LEAVE OF COURT TO FILE MOTION TO DISMISS, OR ALTERNATIVELY TO TRANSFER ACTION

Complaint Filed: July 29, 2005

The Court, having considered the application of defendants' Martindale-Hubbell and Lexis/Nexis, divisions of Reed Elsevier, Inc. (collectively "Defendants") for leave of Court to file a motion to dismiss the Complaint in this action (which was removed to this Court pursuant to a Notice of Removal filed on August 30, 2005), or in the alternative, to transfer this case pursuant to 28 U.S.C. § 1404(a) for the convenience of the parties and witnesses and in the interests of justice, or dismiss the present Complaint for failure to state a claim pursuant to Federal Rules of Civil Procedure §§ 12(b)(6) and 9(b) for failure to plead allegations of fraud with particularity (collectively, the "Motion") and GOOD CAUSE APPEARING THEREFOR,

Defendants' application for leave of Court to file their Motion is hereby **GRANTED**.

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Defendants' Motion based on Defendants' accompanying pleadings and other supporting papers filed by Defendants in connection with the Motion on September 7, 2005, shall be heard on October 31, 2005, at 2:00 p.m, before this Court at in the United States District Courthouse located at 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

DATED: 9/9, 2005

HONORABLE MARILYN H. PATEL
UNITED STATES DISTRICT COURT JUDGE

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